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HOUSE BILL 2469 By
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SENATE BILL 2566
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AN ACT to amend Tennessee Code Annotated, Section 16-15-713; Title 29, Chapter 9, Part 1; Section 55-12-114(c); Section 55-12-115(a); Section 55-12-129; Section 55-50-118(c) and Section 55-50-502(a)(9), relative to driver license restoration fees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-12-129 is amended by deleting all of the language after the second sentence, by designating the remaining language as subsection (a), and by adding the following new subsections thereto:

(b) A sixty-five dollar (\$65.00) restoration fee shall be paid, unless otherwise specified by law, for each and every offense committed that provides for the revocation/suspension of driving privileges.

(c) Any person suspended pursuant to Section 55-50-502 for failure to satisfy timely a traffic citation shall pay a sixty-five dollar (\$65.00) restoration fee for each such offense. Provided, that multiple suspensions arising from a single traffic incident occurring prior to or after the effective date of this act shall result in one (1) restoration fee per incident when such person's driving privileges are restored.

(d) The restoration fee for non-moving violations, except driver license and registration offenses, shall be thirty-five dollars (\$35.00).

(e) Fees paid pursuant to this title shall be expendable receipts to be used only by the commissioner towards the cost of administering the provisions of this title.

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(f) From each fee of sixty-five dollars (\$65.00) received in accordance with the provisions of Section 55-10-306, the commissioner shall make a payment of ten dollars (\$10.00) for the furnishing of a completed report of each conviction resulting in a suspension or revocation, including forfeiture of bail not vacated, or payment of a fine or penalty, for one (1) or more of the offenses enumerated in Section 55-12-115(a).

SECTION 2. Tennessee Code Annotated, Section 55-12-114(c), is amended by deleting the words and figure "sixty-five dollar (\$65.00)" and by substituting instead the word and figure "one hundred dollar (\$100)".

SECTION 3. Tennessee Code Annotated, Section 55-12-114(c), is further amended by adding the following to the end thereto:

Any person convicted of driving on a revoked license pursuant to Section 55-50-504, when the original suspension or revocation was made for a violation of an offense not requiring mandatory revocation, shall pay a sixty-five dollar (\$65.00) restoration fee.

SECTION 4. Tennessee Code Annotated, Section 55-12-115(a), is amended by adding the words and punctuation "driving under the influence," between the word "of" and the word "reckless".

SECTION 5. Tennessee Code Annotated, Section 55-12-118(c), is amended by deleting the words and figure "sixty-five dollar (\$65.00)" and by substituting instead the words and figure "one hundred dollar (\$100)".

SECTION 6. Tennessee Code Annotated, Section 55-50-502(a), is amended by adding the following after the second sentence of subdivision (9):

Any request from the court for suspension under this subdivision must be submitted to the department of safety within six (6) months of the violation date. No suspension action shall be taken by the department unless such request is made within six (6) months of the violation date.

SECTION 7. Tennessee Code Annotated, Section 29-9-108, is amended in subsection (a) by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) The power to punish for contempt conferred by this section may not be used to punish persons who fail to appear for parking violations.

SECTION 8. Tennessee Code Annotated, Section 29-9-108, is amended in subsection (b) by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) The power to punish for contempt conferred by this section may not be used to punish persons who fail to appear for parking violations.

SECTION 9. Tennessee Code Annotated, Section 16-15-713, is amended by designating the existing language as subsection (a) and by adding the following as new subsection (b):

(b) Courts of general sessions shall have the power to punish for contempt persons who fail to appear for traffic violations.

SECTION 10. This act shall take effect July 1, 1998, the public welfare requiring it. Except for the provisions of subsection (c) of Section 1 of this act, which shall have retrospective application, the provisions of this act shall apply to convictions which occur July 1, 1998 or after such date.